



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 18, 2021

BY ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Stephen M. Calk*, S1 19 Cr. 366 (LGS)

Dear Judge Schofield:

The Government submits this letter to briefly address the scheduling concerns raised by the defendant's recent request for a Monday conference concerning the testimony of FBI Special Agent Melissa Baccari. (Dkt. 223, "Motion"). The Government can be available for a conference at any time convenient to the Court, but notes that the Government does not—contrary to the claims in the Motion—intend to call Agent Baccari on the first day of trial, as its first witness, or prior to the testimony of several percipient witnesses. Thus, should the Court find it more efficient to do so, the Government believes the Court could resolve the issues raised by the Motion on the first day of trial, before 10 a.m., after 4 p.m., or during a break in the jury selection process. The Government will submit a letter addressing the substance of the Motion—much of which is entirely without legal or factual basis—by tomorrow, June 19, 2021, if that is acceptable to the Court.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: s/_____
Paul M. Monteleoni
Hagan Scotten
Alexandra N. Rothman
Assistant United States Attorneys
(212) 637-2219/2410/2580